

### **Best Case Scenario for Rule Making:**

*(Without Public Hearings, Substantive Changes, and Oversight Committee Hearings)*

*For a thorough understanding of the process, read the Administrative Procedure Act, as this is not a comprehensive overview of the entire process.*

**STEP 1.** Compose an underscore/strikethrough version of the proposed rule. For amendments, use an electronic copy of certified current rules provided by the Office of the State Register (OSR).

\*This version must be in codified format (refer to OSR formatting in LAC Handbook).

**STEP 2.** Prepare a Fiscal and Economic Impact Statement (FEIS) and a Regulatory Flexibility Analysis (see R.S. 49:965.6)

\*OSR can provide copies of completed FEIS as guides. Do note that every statement is different, as the content for each proposed rule is unique.

**STEP 3.** Turn in completed FEIS, underscore/strikethrough version of proposal, and cover letter with your agency contact information to Legislative Fiscal Office (LFO) (State Capitol, 18th floor, 342-7233).

**STEP 4.** Compose a Notice of Intent for promulgation in *Louisiana Register* [refer to R.S. 49:953(A)(1)(a) for content] and for oversight. The Notice of Intent should contain:

\*opening paragraph with:

a citation of the enabling legislation that grants your agency rule-making authority, the intended action being taken (adoption, amendment, or repeal), and the basis and rationale for this proposal

(or statement letting the public know where they can obtain a preamble).

\*rule text in codified format (only sections being changed - refer to LAC Handbook)

(this portion will need to be in an underscore/strikethrough format for oversight)

\*family impact statement (LAC Handbook has examples)

\*interested parties paragraph (paragraph letting the public know how they can respond, to whom, where, and a cut-off date for inquiries)

\*fiscal and economic impact summary

**STEP 5.** After getting approved FEIS from LFO :

\*bring copy of underscore/strikethrough Notice of Intent, cover letter with your agency contact information and brief explanation of the proposal, and copy of the signed FEIS to:

President of the Senate

Speaker of the House

House Oversight Committee

Senate Oversight Committee

*This is the report to the oversight committees as mentioned in R.S. 49:968 (B) and (C.)*

Refer to R.S. 49:968 to find your office's appropriate oversight committees.

\*bring copy prepared in STEP 4 (in electronic format: disk or on-line submission), signed insertion order, and original approved FEIS to Office of the State Register.

**STEP 6.** After receiving comments [refer to R.S. 49:953(A)(2)(a) for additional information concerning comments and possible hearing notification], prepare a summary report for oversight committees. The summary report should contain: [R.S. 49:968(D)(1)(b)]

\*agency contact information

\*title of proposed rule and information where it can be found (Louisiana Register issue and page number that Notice of Intent appeared)

\*summary of all comments, agency responses (you must respond to each comment received), and any action taken as a result

\*any revisions to the proposed rule [if making substantive changes refer to R.S. 49:968(H)(2)]

\*basis and rationale for the rule proposal

\*date when proposed rule will be effective

**STEP 7.** Bring photocopy of the Notice of Intent (as appeared in the *Louisiana Register*) and another signed insertion order to Office of the State Register for Rule promulgation.

***Refer to the Rule-Making Timeline (in LAC Handbook and on OSR website)  
for Deadlines for Submittal of all documentation.***